



## THE COMMISSIONERS OF ST. MICHAELS

SETTLED 1670-1680

300 MILL STREET  
P.O. BOX 206  
ST. MICHAELS, MD 21663

TELEPHONE: 410.745.9535

INCORPORATED 1804

FACSIMILE: 410.745.3463

Permit Number: \_\_\_\_\_  
Date Received \_\_\_\_\_  
Commission Review \_\_\_\_\_  
Date Issued \_\_\_\_\_  
Certificate of Insurance Received \_\_\_\_\_

### TOWN OF ST. MICHAELS TOWN USE PERMIT APPLICATION

**Venue Requested:**

_____	Frederick Douglass Park	_____	Muskrat Park
_____	Hollis Park	_____	The Wilson Reading Garden
_____	Clint Bradley Park		
_____	Back Creek Park		
_____	St. Mary's Square		
Other:	_____		

**Dates of Use Requested:**

\_\_\_\_\_

**Time of Event Requested:**

\_\_\_\_\_

**Purpose of Event:**

\_\_\_\_\_

**Permits Requested:**

_____	Sign Permit Public Event
_____	Outdoor Speakers associated with Public Events in CC, MC and HD Zones
_____	Public/Private Event Held in Public Park
_____	Exception request to allow Alcoholic Beverages on Town Property
_____	Farmer's Market
_____	Parade/ Road Closure

COMPLETED APPLICATION TO BE SUBMITTED A MINIMUM OF **60 DAYS** PRIOR TO THE EVENT.

1. Name of Applicant and/or Responsible Person

\_\_\_\_\_

Address of Applicant

\_\_\_\_\_

Phone Number (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

Cell Number (\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

On Whose behalf is this event being conducted? (Organization, Corporation, etc.)

\_\_\_\_\_

2. Chairperson and/or responsible party for the event, if other than above:  
(Include information how this person may be contacted at any time during the event).

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone Number (\_\_\_\_) \_\_\_\_\_ Fax (\_\_\_\_) \_\_\_\_\_

Cell Number (\_\_\_\_) \_\_\_\_\_ Email \_\_\_\_\_

3. To whom is the permit to be issued?

Name \_\_\_\_\_

Address \_\_\_\_\_

4. Location(s) of the event

\_\_\_\_\_

Provide a map showing the location of all venues, proposed street closing and parade, biking or running routes, sanitary facilities.

6. Estimated number of Attendees \_\_\_\_\_

7. Running/ biking events and parades shall provide an estimated time for road closures if applicable (**Provide approvals from State Highway (SHA) and St. Michaels Police Department with this application**). Please note that the Town has been notified by SHA that they will no longer provide traffic management sign boards at the entrances into Town. It shall be the responsibility of the applicant to obtain traffic management signs and coordinate the placement of said signs with SHA for any closures to MD Rt. 33.

8. Traffic Management Plan which includes street closures, times for such closures, detour routes, public notification signage, the availability of additional personnel as required to assist in safe vehicular and pedestrian movement

9 A description of activities planned during the event including vendors and their locations

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10. Is the use of outdoor speakers being proposed Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, provide a map showing the proposed location(s) and hours of use.

\*Dates/Hours of Use: Date: \_\_\_\_\_ to \_\_\_\_\_

Date: \_\_\_\_\_ to \_\_\_\_\_

\*Permitted hours: Sunday 1pm – 6pm, Monday – Friday the use of outdoor speakers shall cease no later than 7pm, with the exception of Midnight Madness- music and announcements after 10 pm shall be restricted and must end by midnight.

11. A communication plan is required outlining the methods of information for distribution to the residents and businesses that may be directly impacted by the public event. (e.g. Town Web Site, notices posted in public locations such as the post office and library, door hangers etc.). The required notification shall be available for review by the public a minimum of 15 days prior to the Commissioners review of the application.

12. Parking Plan required when venues utilize commercial parking, or the anticipated number of attendees exceeds **1000** persons. Handicapped provisions must be shown on plan.

13. For all permits on Public Property a Certificate of Insurance (COI) will be required to be submitted naming the Commissioners of St. Michaels as Additional Insured. COI must be submitted at least one week prior to event.

14. Signage for Public Events

The Commissioners of St. Michaels recognizes that there are functions conducted in the municipality that contribute to the small-time charm and character of the Town that may require signage not specifically set forth in this chapter applicants for such functions shall supply the following information as set forth in Chapter 340 Zoning, Subsection 40 Signs. Therefore, such applicants for such events shall submit the following application to Codes Enforcement Officer

for temporary signage or to the Commissioners of St. Michaels for their consideration and approval as part of a full public event application.

The number, type and location of the proposed signage\_\_\_\_\_

*Please attach a drawing of the signage proposed and map of sign locations (if other than property location or if multiple signs are proposed.*

Type(s) of Signage (circle all that apply based on provisions below):

***Community sponsored event sign***

***Temporary Signage***

***Festival or community sponsored functions***

***Charitable fundraising activities or special events for which signage is proposed to be located on utility poles.***

14. Request for exemption for alcohol to be served on Town Property?

Yes \_\_\_\_\_ No \_\_\_\_\_

Chapter 80 (Alcoholic Beverages) is attached

(If yes, provide a map showing the proposed pouring locations)

15. Sanitary Facilities Total Number \_\_\_\_\_,

Number of Handicapped Accessible Units\_\_\_\_\_

(If yes, provide a map showing all locations)\

16. Recycling Facilities - Applicant must provide one recycle can per trash can.

**By signing, I have read and understand the requirements of the St. Michaels Code, Chapters 80, 216, 250 and 224 (copies attached) and accept the responsibility of ensuring that all rules and regulations are complied with.**

**I further acknowledge that all venues which involve the sale or consumption of alcoholic beverages are in compliance with all State and County Liquor Licensing Requirements.**

Signature of applicant \_\_\_\_\_ Date \_\_\_\_\_

Permit issued by: \_\_\_\_\_  
Commissioners of St. Michaels Date \_\_\_\_\_

\_\_\_\_\_

St. Michaels Police Chief (if needed)

Date

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St. Michaels Zoning Officer (if needed)

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Date

## ***Event/ Road Closure***

### **PUBLIC NOTIFICATION OF ROAD CLOSURES**

The applicant for a special event, which involves the closure of MD Rt. 33, shall be responsible for obtaining and installing appropriate signage to notify the public of such road closure. The sign shall contain the following information:

Date of the event

Times of road closure

Purpose of the event

I hereby certify that I have read and understood the requirement for public notification as set forth above and will secure and install such signage a minimum of **7 days prior** to the event. Signage to be installed at the southern and northern entrances into the Town.

Signage to be removed with 48 hours after the conclusion of the event.

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Signature

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Date

## Chapter 250- Public Events

### Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

#### COMMERCIAL PARKING LOT

A privately owned lot which provides on-site parking for visitors and employees of a commercial business.

#### PARKING PLAN

A detailed plan including a map which denotes any commercial parking lots which will be utilized as venues during the public event, the number of parking spaces no longer available for customer use, off-site parking location(s), directional and on-site parking signage, traffic control provisions, bus pickup and dropoff spots, handicapped parking provisions (if feasible, such handicapped facilities should be located within close proximity to the event).

#### PUBLIC EVENT

Any event to which the public is invited.

#### VENUE

Any location where an activity or event occurs which is specifically associated with a public event.

#### § 250-2 Permit required.

Any public event which is anticipated to have an impact on the Town's normal flow of traffic, parking, safety, the well-being of the residents affected by the event or which will overburden municipal services shall be required to file a permit in accordance with the following requirements.

#### § 250-3 Permit application.

A. An applicant desiring to conduct or manage a public event shall, not less than 60 nor more than 365 days before the date on which the applicant proposes to conduct such public event, file with the Commissioners of St. Michaels an application on a form furnished by Town staff.

B. The applicant is hereby advised that a completed application is not a guarantee of approval. The Commissioners reserve the right to deny any permit application.

#### § 250-4 Fees.

Permit fees shall be set by the Commissioners in accordance with Chapter 42 (Fees) of the Town Code.

#### § 250-5 Alcoholic beverages.

A. See Chapter 80 (Alcoholic Beverages) of the Town Code.

B. The permittee shall be responsible for compliance with all regulations as set out in Chapter 11 (Alcoholic Beverage Ordinance) of the Talbot County Code.

C. The permittee is responsible for verifying the ages of all persons to whom alcoholic beverages are served.

D. The permittee shall ensure that attendees of the public do not drink or possess open containers of alcoholic beverages outside of the area for the public event.

#### § 250-6 Insurance requirements.

This section shall be deemed to be incorporated in its entirety in any application for any public event; by filing an application for a public event permit, the applicant thereby represents,

stipulates and contracts as follows: The applicant shall supply the Town a certificate of liability insurance naming the Commissioners of St. Michaels as an additional insured in an amount of not less than \$1,000,000.

§ 250-7 Cost of police protection.

A. The permittee shall be responsible for any and all additional police cost incurred as a consequence of a public event. The number and type of officers shall be determined and specified by the Chief of the St. Michaels Police Department to provide for the public safety and protection of public property in and around the area of the public event. Fees for such services are set out in the Town's Administrative Fee Schedule Conditions for issuance of permit.

B. Any permit granted under this chapter may contain conditions reasonably calculated to reduce or minimize the dangers and hazards to vehicular or pedestrian traffic and the public health, safety, tranquility, morals or welfare, including, but not limited to, changes in time, duration, number of participants, or level of sound.

§ 250-8 Considerations for permit issuance.

A permit may be issued by The Commissioners of St. Michaels after their review of the application and supporting documentation and the Commissioner's findings that:

A. Acknowledgements and fees.

(1) The permittee has not knowingly and with intent to deceive made any false, misleading or fraudulent statement of material fact in the application for permit or in any other document required pursuant to this chapter;

(2) The permittee has met the standards in this chapter, and has paid in advance any and all fees required, and agrees to such conditions as are imposed in the permit;

(3) Traffic and safety.

(a) The time, duration and size of the public event will not require the diversion of so great a number of police officers as to prevent the normal police protections;

(b) The concentration of persons and/or equipment will not unduly interfere with proper fire and police protection, or ambulance service to the area and areas contiguous to such public event;

(c) The public event will not unduly interfere with the orderly operation of public roadways, sidewalks, parking, parks, schools, or other public and quasi-public institutions in the Town;

(d) A traffic management plan has been prepared showing any proposed street closures, times for such proposed closures, detour routes, public notification signage, the availability of additional personnel as required to assist in safe vehicular and pedestrian movement.

(4) Public notification. The permittee has shown, to the satisfaction of the Commissioners, that he/she has made reasonable efforts to communicate information regarding the public event to those persons and businesses that may be directly affected by the event.

B. Additional considerations.

(1) Efforts have been made to assure that the public event will not interfere with another public event for which a permit has previously been granted.

(2) The permittee has made provisions to provide sanitation facilities at appropriate locations and in adequate numbers to address the needs of the attendees, including handicapped-accessible facilities.

(3) The permittee has provided a parking plan (if required) which includes location(s), signage, traffic control provisions, bus pickup and dropoff spots, handicapped parking

provisions. (If feasible, such handicapped facilities should be located within close proximity to the event.)

(4) The permittee has provided a refuse collection and disposal plan and a recycling plan.

(5) The permit application has been forwarded to the following agencies or departments, if appropriate, for their review, and their comments have been made a part of the application packet.

(a) St. Michaels Police Department.

(b) St. Michaels Fire Department.

(c) St. Michaels Zoning Officer.

(d) State Highway Administration.

(e) Talbot County Board of Education (school parking lots).

(f) St. Michaels Department of Public Works.

#### § 250-9 Use of commercial parking lots restricted.

It is unlawful for any business or persons to utilize their commercial parking lots for a venue associated with a public event without submitting a parking plan and receiving approval of such use by the Commissioners.

#### § 250-10 Duties of permittee.

A permittee hereunder shall comply with all permit directions and conditions and with all applicable laws and ordinances.

#### § 250-11 Conduct during public event.

A. No person shall unreasonably hamper, obstruct, impede or interfere with any person, vehicle or animal participating or used in a public event.

B. The Chief of Police shall have the authority, when reasonably necessary, to prohibit or restrict the parking of vehicles along a street constituting a part of the route of a public event. The Chief of Police shall post signs to that effect, and it shall be unlawful for any person to park or leave unattended any vehicle in violation thereof.

#### § 250-12 Right to use audio speakers.

Refer to Chapter 216 (Noise) of the Town Code.

#### § 250-13 Revocation of permit.

Any permit for a public event issued under this chapter may be revoked by the Commissioners of St. Michaels or Chief of Police at any time when by reason of disaster, public calamity, public safety, or other emergency, they determine that the safety of persons and property demands such revocation.

#### § 250-14 Enforcement.

A. Event violations. Compliance with the permit and its conditions shall be enforced by any sworn police officer of the Town. Should a violation be noted, the permit holder shall be notified immediately and a written warning issued stating that if a reoccurrence of the violation occurs at any time during the event, that portion of the permit specific to the offending venue will be voided and the venue must cease immediately. Furthermore, the permit holder shall be subject to the provisions of § 250-15 (Violations and penalties) as set forth herein. Consideration of future requests shall be affected by issuance of a written violation.

B. Noise violations. Enforcement, violations and penalties associated with Chapter 216 (Noise) are set out in §§ 216-7 and 216-8 of the Town Code.

#### § 250-15 Violations and penalties.

A. Any person, organization or permit holder violating any of the provisions of the approved permit shall be guilty of a misdemeanor as defined and set forth in Chapter 33 (Municipal



Infractions) of the Town Code and subject to a fine of \$500. Each day of any violation of this chapter shall constitute a separate offense.

B. The issuance of a municipal infraction associated with the conduct of the public event shall be considered by the Commissioners in their review of subsequent permit applications.

## *Chapter 80: Alcoholic Beverages*

### Article I Possession of Open Containers Containing Alcohol on Public Property or a Public Place Prohibited.

[Adopted 11-13-1979 by Ord. No. 122; amended in its entirety 9-13-2017 by Ord. No. 484]

#### § 80-1 Definitions.

The following words and/or phrases shall have the meanings as hereinafter set forth for the purposes of this article only:

##### ALCOHOLIC BEVERAGE

Any liquid, substance, or matter which is controlled and/or regulated by the Talbot County Liquor Board and/or the State of Maryland.

##### PUBLIC PLACE

Any area wherein the public is invited as potential patrons or customers within any private business establishment, during hours which said business establishment is open to the public for business, provided that the business establishment does not hold a current and valid beer, wine and/or liquor license from the Talbot County Liquor Board.

##### PUBLIC PROPERTY

Any property which is titled in the name of The Commissioners of St. Michaels, or any road, street, highway, alley, sidewalk or other public way which is open to the use of the public, regardless of in whose name the land is titled.

#### § 80-2 Possession of open container of alcoholic beverage on public property or public place prohibited.

No person shall possess any open container of alcoholic beverage upon any public property or public place within the Town, unless the following exception applies. The Commissioners of St. Michaels may, in their sole discretion, grant exceptions to this rule for events in the Town, provided the applicant meets all of the following conditions.

A. The purpose of the event is to bring attention to a significant historical, cultural or traditional aspect of St. Michaels or the Chesapeake Bay, and thereby attract visitors to the Town.

B. The event will benefit the Town's commercial interests generally and not be for the benefit of one or just a few businesses.

C. The serving of alcoholic beverages is incidental to and not the main or only purpose of the event, such as holding a tasting as one of other attractions of the event.

D. The alcoholic beverages will be served only in a commercial zone and confined within a designated area.

E. The applicant will obtain, before the event takes place, the appropriate license from the Talbot County Liquor Board and/or the State of Maryland.

#### § 80-3 Violations and penalties.

Any person who shall possess any open container of alcoholic beverage upon any public property or any public place within the Town of St. Michaels (except as noted in § 80-2 above)

shall be guilty of a municipal infraction and shall be liable, at the discretion of the Court, to be punishable by fine of \$200 per occurrence.

Privacy Policy Terms of Use

## Chapter 216 : Noise

This chapter shall be known and may be cited as the "Noise Control Ordinance."

### § 216-2 Findings.

This chapter was passed by The Commissioners of St. Michaels in recognition that the people, business owners, and visitors of the Town have a right to an environment that is free from excessive noise, which jeopardizes their health, general welfare, or property, or otherwise degrades the quality of their lives in the Town.

### § 216-3 Definitions and word usage.

For the purposes of this chapter, the following words, terms, phrases, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future tense, words used in the plural number include the singular number, words used in the singular number include the plural number, and the pronoun of any gender shall include all other genders. The word "shall" is always mandatory and not merely directory.

### AGENT

A person who has been expressly authorized, or placed in a position, by another person (called the "principal") to act for the principal. An agent shall include an employee acting within the actual or apparent scope of his employment for his employer; an officer of a corporation or other legal entity acting within the scope of his actual or apparent authority; and a person who is expressly placed in a position of, or allowed to act in, temporary control of property by a person who has the legal right to control or occupy that property.

### COMMERCIAL CONTRACTOR

Persons who are licensed by the State of Maryland, who, for a fee, use tools and machinery in the construction, drilling, repair, alteration, renovation, maintenance, dredging, pile driving, or demolition of structures and property.

[Added 3-14-2018 by Ord. No. 488]

### COMMERCIAL LAWN CARE CONTRACTOR

Persons who, for a fee, use mowers and tractors for the purpose of cutting grass, and provide other miscellaneous services associated with lawn maintenance.

[Added 12-10-2014 by Ord. No. 454]

### COMMISSIONERS

The governing body of the Town of St. Michaels, Maryland.

### dBa

The abbreviation for the sound level in decibels by the A-weighting network of a sound level meter or by calculation from octave band or one-third octave band.

[Added 12-10-2014 by Ord. No. 454]

### DECIBEL (dB)

A unit of measure equal to 10 times the logarithm to the base 10 of the ratio of the square of the sound pressure to the square of a standard reference pressure. For the purpose of this chapter, 20 micro-pascals shall be the standard reference pressure.

[Added 10-8-2014 by Ord. No. 455]

NOISE

The intensity, frequency, duration, and character of sound, including sound and vibration of subaudible frequencies.

NOISE POLLUTION

A. The presence of noise of sufficient loudness and character, from a single source or from multiple sources, which is, or may be predicted with reasonable certainty to be, injurious to health or which unreasonably interferes with the proper enjoyment of property or with any lawful business or activity; or

B. Sound in such intensity, frequency, duration and/or character as to fit the description of noise pollution in § 216-5 of this chapter.

PERSON

Any natural person or legal entity.

PUBLIC EVENT

Any event to which the public is invited.

[Added 12-10-2014 by Ord. No. 454]

PUBLIC GATHERING AREA

Any outdoor area, whether publicly or privately owned, regularly open to congregations of the public in numbers of 10 or more persons.

SOURCE

A person or thing that is actively producing noise or noise pollution.

TOWN

That Maryland municipal corporation known as "The Commissioners of St. Michaels."

VENUE

Any location where an activity or event occurs which is specifically associated with an event.

[Added 12-10-2014 by Ord. No. 454]

§ 216-4 Prohibited acts.

A.

A person shall not:

[Amended 3-28-2012 by Ord. No. 431]

(1) Be a source of noise pollution;

(2) Cause or permit a source of noise pollution to exist on property owned, leased, rented, or otherwise controlled by him or his agent.

B. In the Central Commercial Zone, Gateway Commercial Zone, Historic Redevelopment Zone, or the Maritime Commercial Zone, a person shall not:

[Amended 3-28-2012 by Ord. No. 431; 12-10-2014 by Ord. No. 454]

(1) Cause or permit an audio speaker to be located outside of a fully enclosed structure, or located in any structure that is not fully enclosed or located so that it is exposed directly to the outdoors unless an annual permit has been issued by the Town as noted in § 216-5C of this chapter;

(2) Cause or permit an audio speaker that is located within a structure to be directed toward an open window, door, or other opening in the structure.

C. A commercial establishment offering indoor live amplified music or other live amplified entertainment shall not leave its exterior doors open during performances.

D. The following acts, among others, are declared to be noise pollution prohibited by this chapter:

[Amended 3-28-2012 by Ord. No. 431; 12-10-2014 by Ord. No. 454]

(1) Between the hours of 10:00 p.m. and 7:00 a.m., the playing of, using of, operating of, or permitting to be played, used, or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound (hereafter in this subsection "the source") in such a manner as to be at a level that exceeds the limits set forth in Table 1 below, when measured as set forth in § 216-5B.

(2) Between the hours of 10:00 p.m. and 7:00 a.m., vocal disturbances (e.g., shouting, whistling or singing) in the public streets or public areas or from private property in such a manner as to be plainly audible at a distance of 50 feet from the public street, public area, building, structure, or vehicle from which the noise emanates.

(3) Between the hours of 10:00 p.m. and 7:00 a.m., human conversation from a public gathering area at a volume audible inside a closed residence located 75 feet or more from the public gathering area. The actual words of the conversation need not be intelligible; audibility of the sound of conversation, under the conditions described, is sufficient to constitute noise pollution.

§ 216-5 Maximum allowable noise levels.

A. With the exception of those specific acts and circumstances described in § 216-6 of this chapter, any sound produced, reproduced, or amplified to a level that exceeds the limits of Table 1 below is hereby declared to be noise pollution.

**Table 1**

**Maximum Allowable Noise Level (dBA) for Receiving Land Use Categories**

	<b>Industrial</b>	<b>Commercial</b>	<b>Residential</b>
Day	75	67	65
Night	75	62	55

B. In Table 1, "Day" means 7:00 a.m. to 10:00 p.m.; "Night" means 10:00 p.m. to 7:00 a.m. Measurements to determine compliance with the limits in Table 1 shall:

[Amended 12-10-2014 by Ord. No. 454]

(1) Employ equipment and techniques recommended by the Maryland Department of the Environment.

(2) Employ sound level meters set to the A-weighting network for all measurements.

(3) Be taken on the property line of the receiving property.

C. In the Central Commercial, Maritime Commercial and Historic Redevelopment Zones, outdoor music accessory to a business, whose primary use is the offering of food and beverages to the general public, may apply for a permit, subject to the following conditions:

[Added 12-10-2014 by Ord. No. 454]

(1) The permit shall be requested annually.

(2) The purpose of the music is for the pleasure of the customers of the primary structure in their outdoor dining area.

(3) Music shall stop by 9:00 p.m. on Sunday through Thursday and 10:00 p.m. on Friday and Saturday.

(4) Maximum dBA levels as set forth in § 216-5 shall be in effect.

(5) The issuance of three citations within any calendar year shall result in the nullification of the permit with no reissuance thereof for a period of six months. Additionally, multiple written notices of violations and the issuance of multiple citations may result in the denial of future permits.

(6) All written warnings and citations shall be issued to the permit holder with notification of such violation to the property owner. Fines associated with the foregoing violations must be paid in full prior to the reissuance of a new permit.

§ 216-6 Exemptions.

[Amended 3-28-2012 by Ord. No. 431]

Each of the following activities is hereby exempt from the prohibitions of this chapter to the extent noted below:

A. Sound produced by the operation or testing of authorized emergency equipment.

B. Sound produced by the operation of tools and machinery, or the loading or unloading of supplies, used in construction, drilling, repair, alteration, renovation, maintenance, dredging, pile driving, or demolition during normal daytime business hours, or such similar activities as may be required during other times under emergency conditions may not exceed 90 dBA, A-weighted. For the purposes of this Subsection B, normal daytime business hours are Monday through Friday 7:00 a.m. to 5:30 p.m. and Saturday 9:00 a.m. to 4:30 p.m., excluding federal holidays. For homeowners working on their own property, the Saturday hours apply also to Sundays and federal holidays. Commercial contractors may not work on Sundays or federal holidays unless there is an emergency and the building is open to the elements.

[Amended 3-14-2018 by Ord. No. 488]

C. The use and maintenance of lawn maintenance equipment by the property owner, where such use and maintenance is in accordance with the manufacturer's specifications. This exemption applies only from 8:00 a.m. to 8:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturday and Sunday. The use of lawn maintenance equipment by a commercial lawn care contractor. This exemption applies from 8:00 a.m. to 6:00 p.m. Monday through Friday and 10:00 a.m. to 4:30 p.m. on Saturdays unless weather conditions have prohibited normal lawn maintenance. The use of lawn maintenance equipment by a commercial lawn care contractor is prohibited on Sundays and federal holidays.

[Amended 12-10-2014 by Ord. No. 454]

D. Motor vehicles on public roads and boats on state waters.

E. Air-conditioning and heat-pump equipment used to cool or heat housing on residential property may not exceed 70 decibels for air-conditioning units and 75 decibels for heat pumps.

F. Emergency operations.

G. Agricultural field machinery when used in and maintained in accordance with manufacturer's specifications.

H. Sound not electronically amplified created by sporting, amusement, and entertainment events and other public gatherings operating according to laws of St. Michaels is excepted. This exception includes but is not limited to athletic contests, carnivals, parades, and public celebrations.

I. Outdoor speakers aboard tour boats, used during tours to announce the sights to passengers.

J. Church bells.

K. The Commissioners of St. Michaels may, in their sole discretion, as a part of a public event permit, allow the use of audio speakers out-of-doors in the Central Commercial, Historic Redevelopment and Maritime Commercial Zones. The noise level associated with these permits shall not exceed 65 dBA, measured as set forth in § 216-4B.

[Amended 12-10-2014 by Ord. No. 454]

L. The grant of a public event permit authorizing the use of audio speakers out-of-doors shall be conditioned on the applicant meeting all of the following conditions:

[Amended 12-10-2014 by Ord. No. 454]

(1) All events involving the use of audio speakers which are conducted on Sundays shall begin no earlier than 1:00 p.m. and shall end no later than 6:00 p.m. Such events held on Monday through Friday shall end no later than 6:00 p.m., and venues held on Saturday shall end no later than 7:00 p.m., with the exception of Midnight Madness, which is normally held on the first weekend in December. Amplified music and announcements for Midnight Madness after 10:00 p.m. shall be restricted to one venue in the Central Commercial Zone and must end by midnight. The number of events for which a public event permit may be issued shall be limited to three per day.

(2) The speakers must be placed at least 75 feet from any boundary of a residential property. To the extent practicable, the speakers should be directed away from the nearest residential property boundary.

(3) Compliance with the above-noted conditions shall be enforced by any sworn police officer of the Town. Upon the receipt of a complaint, the officer shall determine the dBA level at the property line of the complainant. Should a violation be noted, the permit holder shall be notified immediately and a written warning issued stating that if a reoccurrence of the noise violation occurs at any time during the event, the exemption for that specific venue will be voided. Furthermore the permit holder shall be subject to the provisions of § 250-15 (Violations and penalties) of the Town Code. Consideration of future requests may be affected by the issuance of a citation.

#### § 216-7 Enforcement.

[Amended 3-28-2012 by Ord. No. 431; 12-10-2014 by Ord. No. 454]

This chapter shall be enforced by any sworn police officer of the Town. With the exception of the provisions of § 216-6 (Exemptions) above, any person who shall be in violation of this chapter shall be issued a written warning. Any person who, after first being issued such a written warning, shall thereafter within 30 days commit the same violation, shall be subject to being issued a citation for a municipal infraction. No such written warning or citation shall be issued except upon first-hand knowledge of the police officer giving such warning or issuing such citation, but the citation need not be issued by the same police officer who gave the written warning relating to the same violation. A person who is cited for a municipal infraction for the violation of this chapter occurring at a property need not be the same person who was issued the written warning relating to the same violation at the same property, provided that both persons who are issued such warning and citation were, at the time they were issued such warning or citation, an owner, lessee, tenant or otherwise in control of that property. Procedures set forth in Chapter 33 (Municipal Infractions), as amended from time to time, for issuance of citations, payment of fines, election to stand trial, and court proceedings shall apply.

#### § 216-8 Violations and penalties.

[Amended 12-10-2014 by Ord. No. 454]

A. Any person who shall, after receiving a written warning from a sworn police officer for the violation of this chapter, be in violation of the same provision of this chapter shall be guilty of a municipal infraction and shall be subject to a fine of \$500 for the violation of this chapter. Each act of violation of this chapter shall constitute a separate offense. An action under this section shall be in addition to, and shall not prohibit, an action for nuisance, declaratory judgment and/or injunctive relief arising out of the same violation. Failure to pay the fines in full may result in the denial of future permits.

B. Violations and penalties related to noise associated with public events are set out in § 250-15 of the Town Code.

§ 216-9 Civil action.

The Town or any person adversely affected by the repeated or continued violation of this chapter may bring any civil action permitted by law arising from the facts constituting a violation of this chapter and, in addition thereto, may bring an action for declaratory judgment and/or to enjoin the continued violation of this chapter. No such declaratory and/or injunctive action may be brought until the person bringing such action has given written notice of the continued or repeated violation to the person against whom such action is to be brought, and a reasonable time has lapsed after such notice for the offending person to comply with this chapter. The Town shall be furnished written notice of the filing of any such injunctive action under this chapter, and if it so chooses, the Town may intervene in such action as a party thereto.

Privacy Policy Terms of Use

***Chapter 340-40, Section 11: Community sponsored event sign***

Notwithstanding the prohibition of off-site signs as set forth in this article, one community sponsored event sign is permitted at, or near, each of the north and south entrances to the Town along Talbot Street.

(a) A community sponsored event sign:

[1] Shall be freestanding and permanent, and compatible in design, size, height, material and lighting with the existing "Welcome to St. Michaels" sign.

[2] Shall display the St. Michaels logo.

[3] May include up to three interchangeable signs, each of the same shape and size. Each individual sign shall identify the name of the event, the location, times and dates and any other information visitors would find useful, provided it does not become too cluttered for the average motorist, passing at the posted speed limit, to read easily.

[4] Prior to the placement of the individual event signs, review and approval shall be obtained from the Commissioners or their designated assignee.

[5] With the written consent of the property owner, may be placed on private property.

[6] With the written consent of the adjacent property owner, and provided the conditions in Subsection B are met, may be placed within the state highway right-of-way.

(b) Identification of the person(s) and or organizations or groups responsible for the erection and maintenance of the sign shall be approved by the Commissioners prior to the issuance of the required zoning certificate.

## ***Chapter 340-40, Section 15: Temporary Signage***

### **(15) Temporary signage.**

#### **(a) Commercial public event signs.**

##### **[1] Commercial directional or informational signs advertising events shall:**

- [a] Not exceed 10 square feet in area per side, with a maximum of two sides;**
- [b] Not be displayed more than seven days prior to the event;**
- [c] Be removed not more than five days after the event;**
- [d] Be limited to one on-premises sign per event; and**
- [e] Be limited to six public event signs per calendar year.**

##### **[2] The maximum length of time for each permitted event shall not exceed 20 days.**

##### **[3] Permit issuance.**

**[a] Prior to erecting a commercial public event sign, a permit shall be obtained for each sign.**

**[b] The application fee shall be that set out in the Administrative Fee Schedule approved by the Commissioners and amended from time to time.**

**[c] The Zoning Inspector shall issue the permit within three days of receiving the application.**

**[d] Each day that a sign is erected in violation of this subsection is a violation of this chapter pursuant to Article XIV (Violations and Penalties).**

#### **(b) Noncommercial public information event signs.**

##### **[1] Directional or informational signs advertising events sponsored by bona fide civic, nonprofit, charitable, or fraternal organizations shall:**

- [a] Not exceed 10 square feet in area;**
- [b] Be considered temporary;**
- [c] Not be displayed more than seven days prior to the event; and**
- [d] Be removed not more than five days after the event.**

##### **[2] The number of signs shall be limited to three per event.**

**[3] Only in the case where an applicant does not have fixed premises from which to operate, a public information event sign may be erected as an off-premises sign on private property with the written permission of the property owner.**

##### **[4] Permit issuance.**

**[a] Prior to erecting a noncommercial public event sign, a permit shall be obtained for each sign.**

**[b] The application fee shall be that set out in the Administrative Fee Schedule approved by the Commissioners and amended from time to time.**

**[c] The Zoning Inspector shall issue the permit within three days of receiving the application.**

**[d] Each day that a sign is erected in violation of this subsection is a violation of this chapter pursuant to Article XIV (Violations and Penalties).**



[5] Length of event. The maximum length of time for display by any party or any group of parties of noncommercial public event signs is 120 days in any one-year period.

### ***Chapter 340-40, Section 17: Festival or community sponsored functions***

The Commissioners of St. Michaels recognize that there are functions conducted in the municipality that contribute to the small-time charm and character of the Town that may require signage not specifically set forth in this chapter. Applicants for such functions shall submit a request to the Commissioners for their consideration and approval which contains the following information:

- (1) The type of function.
- (2) The duration of the function.
- (3) Those businesses and organizations sponsoring the function.
- (4) The number, type and location of proposed signage.
- (5) A temporary sign permit may be authorized only upon the favorable finding of the Commissioners.

### ***Chapter 340-40, Section 18: Charitable fundraising activities or special events for which signage is proposed to be located on utility poles.***

(a) The Commissioners of St. Michaels recognize that there are charitable fundraising activities or special events conducted in the municipality that support community needs and benefit from signage, not specifically addressed in this chapter. Such events and community-sponsored functions may, but do not necessarily, include fundraising or other charitable events.

(b) The Commissioners, in order to continue their support of these unique fundraising activities or special events, are requiring the applicants to provide the following for their review:

[1] Completed application providing:

[a] The applicant's address and contact information. The fundraising organization must be a nonprofit or be sponsored by a nonprofit or the Town.

[b] If applicable, the name, address and contact information of the sponsor.

[c] The name, address and contact information of individual(s) responsible for posting of the signs.

[d] The type of activity and purpose.

[e] The number, type and location of proposed signage. Individual signs cannot exceed four square feet (576 square inches). No portion of the sign shall be less than eight feet off the ground.

[f] Acknowledgment that signs will not contain advertising. The name of a business can be used, but no advertising for a business is permitted.

[g] Acknowledgment that signs will not contain negative or inflammatory messages.

[2] Documentation that the fundraising organization is a nonprofit or is sponsored by a nonprofit or the Town. Fundraising, which may include fundraising for a specific cause, must benefit the local community.

[3] The applicant shall acknowledge that he or she and the group or organization that he or she represents shall comply with all applicable laws and regulations, including but not limited to the Maryland Solicitations Act.[2]

[2] Editor's Note: See Title 6 of the Business Regulation Article of the Annotated Code of Maryland.

[4] Dates on which the signs will be installed and the date of removal. Such signage will only be permitted on utility poles along Talbot Street during the months of September through April, with the following limitations:

[a] Promotion of a specific event for 21 days prior to the event with removal 48 hours after the event.

[b] Fundraising activities unrelated to a specific event for no more than 30 days or at the discretion of the Commissioners.

[c] Permits may be applied for beginning on December 1 for the next calendar year.

(c) Permit approval will be at the sole discretion of the Commissioners.